

Conclusion

The Examiner cited a new reference, namely U.S. Pt. No. 6,124,170 necessitating this amendment. It is not clear that the reference teaches conductive sidewall spacers but conductive member 25 appears to act as a separate floating gate member joined to the main floating gate region 23a. In Applicants' invention a connecting layer joining the main floating gate region to the sidewall spacer extends over the side of the sidewall spacer, a relatively large dimension compared to merely the top of the sidewall spacer as in the prior art. This feature is set forth in new claim 9, about 7 lines from the end of the claim.

Applicants respectfully submit that claims are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested.

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313

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Respectfully submitted,

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